

Told Raus Erik Heine Was Red Agent, CIA Says

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Juri Raus was told that Erik Heine was "a dispatched Soviet intelligence operative, a KGB agent," the Central Intelligence Agency said in a new affidavit filed in Federal court today.

Raus, a 39-year-old engineer for the Bureau of Public Roads—and a CIA agent—has been accused in a slander suit for calling Heine, an Estonian emigre leader, a communist and a KGB agent.

KGB is the Soviet Secret Police.

In two previous affidavits in which it acknowledged Raus was an agent, the CIA did not make clear that what he said about Heine was precisely what he had been told to say by the CIA.

The new affidavit is geared to remove that doubt.

"Prior to those occasions specified in . . . the complaint

in this action, the defendant, in a series of conferences, was furnished information by the Central Intelligence Agency to the effect that Erik Heine was a dispatched Soviet intelligence operative, a KGB agent. The defendant was instructed to warn members of Estonian emigre groups that Erik Heine was a dispatched Soviet intelligence operative, a KGB agent," according to the affidavit, which was signed by Richard Helms, deputy director of the CIA.

In his defense, Raus has claimed that he has absolute privilege against a slander suit because he was acting within the scope of his duties as a CIA agent—as an official representative of the U.S. government.

At a hearing April 14, Heine's attorneys questioned whether the statements made by Raus were what he had been told to say, and thus

within the scope of his job as a CIA agent.

A hearing is scheduled to be held in Baltimore Thursday at which Heine's attorneys will attempt to take a deposition from Raus.

Chief Federal Judge Roszel C. Thomsen suggested that the deposition be taken in his presence, with a CIA official also present, so an immediate decision can be made on whether each question can be answered without violating the secrecy agreement Raus signed with the CIA on May 19, 1963.

The affidavit filed today is directly connected with a motion for summary judgment filed by the attorneys for Raus in which they argue that since Raus was acting within the scope of his government job, the judge has no alternative but to rule in his favor.